

and that the question of a municipal investigation will be dealt with by the administration in some other way. The probability is that nothing will be done about an investigation for a few weeks.

Assemblyman Edward A. Everett was prevailed upon not to present a resolution in the caucus to-night, calling for the ouster of the Socialists. The leaders decided that the question should not be made a party affair and that the members should be left entirely free from any organization control in dealing with the question on the floor of the Assembly.

Gov. Miller was asked to-day to state his views regarding the wisdom of again placing the Socialists on trial and answered that it was a subject which the Assembly alone had to deal and he believed that body would act wisely.

Mr. Everett intends to put in his resolution as soon as the Assembly is ready to do business, demanding that three Socialist members be excluded and undoubtedly he will have considerable support from up-State members. There is decided sentiment among the Republicans from the rural and small town districts against admitting the Socialists. These members insist that if the Socialists were unfettered heretofore to help make State laws, they still are unfettered. Several of the up-State members are almost violent in their hatred of Socialists and Socialism and get red-eyed when they talk about it. They are expected to cause some growls when the resolution is introduced.

CUT PAYROLLS TO BONE, IS ORDER AT ALBANY

Joy Riding in State Automobiles Also Is Under Ban.

Special Despatch to THE NEW YORK HERALD, Albany, Jan. 4.

Word has gone out to the heads of all State departments that they must begin at once cutting down their office forces to the smallest number possible. No official order has been issued on the subject from the Executive Chamber, but the tip is that the department and bureau chief who expects to remain on the payroll must get up a list of unnecessary employees. Officials in all subordinate positions are in a panic.

Another tip going through the State offices and credited to the Governor is that all departments must place a State seal on automobiles used for official business and that joy riding must cease.

HYLAN HEARS COAL BIDDERS GOUGE CITY

Estimate Board Inquiry Into Plumbing Shows Trail of Hettrick's Code.

The inquiry of the Board of Estimate into city contracts yesterday revealed the cancellation of a city plumbing award in the Bronx because the bidders colluded, and showed that the holders of city contracts for the construction of approximately \$17,600,000 worth of piers, who are organized into an association, had a labor agreement until December 31 with Robert P. Brindell, indicted czar of the Building Trades Council.

The hearing closed with instructions from Mayor Hylan to William B. Carswell, Assistant Corporation Counsel in charge of the inquiry, to start an investigation of the city's coal contracts. The Mayor announced that he has been informed that the city has made a number of contracts at public letting for the purchase of coal only to find after the contracts were awarded that the fuel could have been bought for less in the open market without bids. If that condition can be shown, he said, the city will buy its coal directly in the market.

Vincent J. Duffy, plumbing contractor for the Ninetieth precinct police station, admitted, as virtually all of the city's heating and ventilating contractors have done, that he belonged to John T. Hettrick's "code of practice" organization and that the figures of his bids on public work were submitted to Hettrick for the inspection of competing bidders before the bids were opened by the city. Henry Altman of the Altman Plumbing Company, a dock contractor, said he had been urged to join the Hettrick outfit but that he had declined to do so.

The organization of the contractors for the new State Island piers into the Contracting Dock Builders Association, with an agreement with Brindell, was revealed when Bernard Holt of the Riverside Contracting Company was called to the stand. The Mayor immediately had as many of the dock contractors as could be reached and Henry C. Hunter, secretary of the association, summoned before his board.

Half a dozen times it appeared that Mr. Carswell and the board were on the verge of uncovering more of the typical bribery work as revealed by the Lockwood committee, but the details of the agreement of the dock builders always were explained to the satisfaction of counsel and the board members. By the middle of the afternoon the inquiry had become so tame that the only spectators left were the witnesses who agreed calls to the stand.

Their only relations with Brindell were concerning the fixing of wages for dock building labor and that Brindell had never attempted to hold them up as in cases testified to before the Lockwood committee. It was stated also that their agreement with Brindell did not preclude non-members from using Brindell labor or members from using other labor when Brindell's supply ran out. It appeared, however, that Brindell organized his dock building union before he built up the trade's council, through which he lorded it over contractors. The dock contractors' agreement with Brindell expired December 31 and has not been renewed.

CARUSO SO IMPROVED FAMILY LEAVES HOTEL

Fever Lower; General Condition Satisfactory.

The condition of Enrico Caruso showed such continued improvement yesterday that several members of his family, who had taken rooms in the Vanderbilt Hotel when he first was stricken with pleurisy to be near Mrs. Caruso, returned to their respective homes. They were Mr. and Mrs. Park Benjamin, Jr., Mr. and Mrs. Frederick Worth Gooden and Rosemary Benjamin, brothers and sister-in-law of Mrs. Caruso, Enrico Caruso, Jr., who came from the Culver Military School in Indiana, where he is a student, a few days before his father was taken ill, will not return to school for another week.

Yesterday noon the six attending physicians issued the following bulletin: "Mr. Caruso is progressing favorably. His fever is lower and his general condition is satisfactory."

In spite of continued favorable bulletins from the doctors the report was circulated yesterday that the tenor was at death's door. In answer to this Dr. Francis P. Murray, one of the consulting physicians, said: "I want to say that the physicians attending Mr. Caruso are giving out true bulletins of his condition."

PALMER APPOINTS 2 AIDS TO PUNISH HOUSING GOUGERS

Ends Lukewarmness to Persons Accused of Violating Criminal Law.

INTERMYER PLEASED

Brindell's Case Is Set for Trial To-day, but May Be Postponed.

100 TALES MEN CALLED

Fight at Albany for More Power for Lockwood Committee Begins To-day.

The way for complete cooperation between the Federal authorities and the Lockwood legislative committee in the investigation of the building trades was opened yesterday with the appointment of Col. William Rand and Isidore J. Kresel as Special Deputy United States Attorneys-General to take charge of the national end of the inquiry.

The appointment was made by Attorney-General Palmer following a conference with Mr. Kresel in Washington, and was hailed with approval by counsel for the Lockwood committee, who have found fault in the past with the method pursued by the persons in charge of the Federal inquiry into the building combinations. They said they saw in it the promise of a thorough and vigorous investigation.

While no definite announcement was obtainable concerning the plan of action to be followed, it was inferred by those generally familiar with the case that the investigation that Joseph Kaufman, special Federal prosecutor, who recently procured the indictment of eleven individuals and four corporations for alleged conspiracy to control the coal and gravel output, henceforth would assist Mr. Rand and Mr. Kresel, and that Francis G. Caffey, United States Attorney, will be virtually eliminated from future proceedings in connection with the investigation.

Would Satisfy the Lawyers.

This would satisfy counsel for the Lockwood committee, who have criticized both Mr. Caffey and Mr. Kaufman for not doing certain things which the committee's counsel thought highly advisable, and who have complained that the Federal investigation was not producing the results that it should.

Both Col. Rand and Mr. Kresel are members of the law firm of Jerome, Rand & Kresel of 37 Wall street, of which William Travers Jerome, former District Attorney, is also a member. Both have been prominently identified with various investigations of importance and have represented the State and Federal Governments on several occasions in the capacity of special prosecutors.

The fight of the Lockwood committee for increased powers with which to investigate the insurance and banking situation here is scheduled to begin to-day in Albany, when Senator Charles C. Lockwood and Assemblyman Thomas A. McWhinney will present a resolution drafted by Samuel Untermyer, volunteer chief counsel to the committee, calling for a continuance of its old powers and the broadening of the scope of its inquiry.

Resolution Will Be Lengthy. This resolution, which asks that the committee be authorized to inquire into the management as well as financial affairs of banks and insurance companies and which asks that it be empowered to grant immunity to witnesses, will be a very lengthy one. With it will go an interim report, which will deal generally with the work accomplished by the committee to date, but will not contain any of the important proposals which are to go in the final report. Other papers having an important bearing upon the housing investigation will be read with the resolution and report.

Although a special panel of 100 talesmen have been summoned to appear in the Supreme Court to-day for the trial of Robert P. Brindell, "czar" of the building trades unions, it is likely that the trial will not begin until some time next week. Justice John V. McAvoy granted an application of a day's vacation for the case off until to-morrow, but Brindell's appeal from an order denying his application for a change of venue is still to be disposed of before the Appellate Division on Friday.

SEVEN RUSSIAN WAIFS BROUGHT BY ADMIRAL

McCully Returns After Five Years' Service Abroad.

Rear Admiral Newton A. McCully got home yesterday after an absence of five years in Russia as American Naval Attaché at Petrograd and later as representative of the State Department at the Allied High Commission at Sebastopol. He brought with him seven little orphaned Russians, ages ranging from 3 to 12.

The Admiral is a bachelor of 52, frosty whiskered, blue eyed and as merry and philanthropic as Kris Kringle. He decided that when he left Sebastopol he would take ten bright and thoroughbred Russian children with him, but three fell ill and he had to be content with seven.

The Admiral has known some of the little ones, five girls and two boys, more than a year and adopted all of them informally before leaving Russia. All came in the naval oil supply ship Ramapo, by way of Brest, and they stood the rough weather with the stoicism of veterans, not one of the bunch getting seasick. At Brest the Admiral put a big Christmas tree aboard and played Santa to his brood; the officers and crew of the Ramapo assisting nobly and enjoying it almost as much as the Admiral. There was not a finer looking tree afloat on Christmas Day than that of the Admiral's kids.

The Admiral was a bit disappointed when, after he had gone with the new brood to Ellis Island, he learned that they and the Russian nurse he employed for them, Evgenia Seifanovna, would not be allowed to land just yet. In fact, they were formally excluded as likely to become a public charge. It was explained to the Admiral that this was according to the letter of the law, and that he could appeal to Washington, which he did right away. So the children will stop at the Island until there is a final ruling in the case. This means that the Admiral will put up as big a bond as the Government wants and the children will be released in his care.

Festival Will Honor Return of Aeronauts

THE officers of the Naval Air Station at Rockaway Point will give a dance and reception in honor of Lieuts. A. L. Kloor, Jr., Walter Hinton and Stephen Farrell on their return from the wilds of Canada to help make up for the Christmas the balloonists lost while fighting the snow and ice near James Bay. The affair will be under the direction of Lieuts. Douglas Brewer, A. W. Evans and J. Burton Murray. It will be held in the officers' quarters at the station.

The Air Station expects a message of some sort from the three men late to-day or to-morrow. The wives and relatives of the balloonists probably will not go to Canada to meet them but will wait here for them.

AVIATORS RETURN ON DANGEROUS PATH

Continued from First Page.

stream most of its way, and other rivers and lakes probably are equally ice free, necessitating long detours and adding many weary miles to the journey.

As a consequence, it may be days yet before the rescued aviators reach civilization.

Oldtime trappers, Indians and the few other settlers who dot this dreary country are preparing to give the gallant Americans a right royal welcome when they reach here. They declare that, knowing the hazards of the frozen wastes where the aviators landed, their survival is little short of a miracle and a great tribute to the dauntlessness of their spirit.

Moose Factory, where they found a haven, is separated from the national transcontinental line here by 200 miles of bush, swamp and wilderness—a bit of Siberia in the Canadian North. Seven rivers cut through the country and join together as the Great Moose River and flow into James Bay. If the balloonists had come down on one of these rivers they might possibly have made their way to safety, but their journey would have been a terrible one, attended by great peril.

If, on the other hand, they had been forced down in the heart of the snow-bound bush or in the white desolation of the muskeg or even farther north, either along the western or eastern shores of James Bay, they probably by now would have become a part of the great silence. As it is it will not be surprising if the crew of the balloon are found to be suffering still from the hardships of their adventures.

Jim Bradley, an Indian from the James Bay district, came in to-day with a big pack of furs. He said he had been through a week of terrible weather. He described the cold just before the thaw as about as severe as anything he ever experienced, and from his description of certain woods phenomena old traders say the temperature must have run about 30 degrees below zero. The wolves are unusually bad this season, Bradley said, and howl all night.

But cold and wolves are matters of routine to Jim Bradley. What he was full of was the tale of the strange spirit he had seen floating over the ice of James Bay on the early morning of December 14. It displayed no lights, fast with the wind, he said. Then it seemed to come toward earth. Jim didn't care greatly for this spectacle and went away from there. Things he does not understand fully are things to leave alone, in his simple philosophy.

ONTARIO TOWN CAN'T HOLD ARRIVING CROWDS

Many at Mattice to Greet American Balloonists.

MATTICE, Ont., Jan. 4.—The heavy influx of newspaper men and residents of neighboring territories anxious to greet the American balloonists, now heading their way back to civilization from Moose Factory, presented this town with a serious housing problem to-night.

Mattice consists principally of a station of the National Transcontinental Railroad and quarters for the railwaymen who look after this section of the line. Consequently it is unprepared to accommodate the crowds.

Canadian National Railway officials reported to-night that they were sending a special combination dining and sleeping car in an effort to relieve the crisis. The balloonists are expected here Saturday, although it is possible they might choose the trail to Cochrane instead.

James Whittaker, Gene Fowler and E. N. Jackson, representatives of the United States Naval Air Service at Rockaway, left Toronto to-night on the way north. They will attempt to make arrangements to salvage the balloon A-5595 in which the flight was made.

GAMBLING JURY DISAGREES.

Jules Formel of New York Under Accusation in Saratoga.

SARATOGA SPRINGS, Jan. 4.—For the second time in two weeks a jury disagreed to-day in the trial of Jules Formel of New York, charged with being a common gambler.

Formel was indicted by the Extraordinary Grand Jury on a charge of maintaining a gambling establishment in this city during July, 1919. Disposal of his case will be determined Saturday, when eighteen gamblers who have pleaded guilty will be sentenced.

Thousands of \$'s lost Save them with Knickerbocker Ice

"Thousands of dollars' worth of expensive foods are literally thrown away for lack of care." This comes from the man in charge of the ice-kept foods in a grocery de luxe. The man who knows says: "The housekeeper should realize that ice is just as necessary in winter as in summer—and should exercise care in the use of her refrigerator."

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WHITMAN, AS SWANN AID, TO SEEK CRAFT

'Will Have Free Hand to Go the Limit,' Says the District Attorney.

CHOSEN SPECIAL COUNSEL

Special Attention Will Be Paid to Charges by Robinson and Steinberg.

Ex-Gov. Whitman was asked yesterday by District Attorney Edward Swann to act as his special counsel in investigating any charges Theodore Douglas Robinson, State Senator, and Joseph Steinberg, Assemblyman, may make regarding their appearance before the Grand Jury on Friday. District Attorney Swann made this known last night after a lengthy conference, at which Mr. Whitman is understood to have indicated that he would accept the offer.

In announcing the arrangement Mr. Swann issued a public statement, in which he said he had assured Mr. Whitman that he would have a free hand and had asked him to make a thorough inquiry into all reports of dishonesty in public office, irrespective of the political affiliations or station of the official accused.

"In view of his experience as Judge of the Court of General Sessions, District Attorney and Governor of the State of New York, I felt that there was no one better qualified to conduct an investigation of this nature than Gov. Whitman," Mr. Swann said. "I could not think of any one whom the public would have greater confidence in."

"I have asked Gov. Whitman to act as special counsel to investigate any and all charges that may be made by Senator Robinson or Assemblyman Steinberg regarding corruption in public office of this county, regardless of the politics or financial standing of the officials accused."

He also asked him, in event of the procurement of an indictment upon any such charges, to act as special prosecutor upon the trial resulting from such indictment. I have asked him fur-

thermore to be kind enough to respond to the request of any grand jury that may care to investigate misconduct in any public office. This will include the Extraordinary Grand Jury of which Raymond F. Almiral is foreman.

"I feel that Gov. Whitman is entering into this with a splendid spirit of co-operation, and that if there is anything wrong he will find it out. He will have a free hand to go the limit."

Mr. Swann said that the grand jury to which Senator Robinson and Assemblyman Steinberg will be asked to present such evidence as they may have regarding corruption in public office will be the Additional Grand Jury which was impaneled on Monday.

"I told the grand jurors to-day," he said, "that under Section 260 of the code of criminal procedure the Grand Jury must inquire into charges of wilful and corrupt misconduct in the office of any public official in the county."

Referring to the Robinson-Steinberg station, which was issued in Albany on Sunday and published in Monday morning's newspapers, he said:

"They have made the direct charge of corruption in public office, and I feel that they have made the citizens believe that such is the case. I am not going to prejudice any one. I want every clue that they may have to be followed up."

Mr. Swann was asked if he proposed to have Mr. Whitman investigate the Police Department. He replied: "Any one who has any evidence of corrupt conduct anywhere in the county is invited to present it. Every clue will be followed up."

If Mr. Whitman accepts the post as special counsel to the District Attorney his fee will be paid by the county of New York. Mr. Swann said that the former Governor had stated that he would take the matter under consideration and make known his decision without delay.

THOMAS F. SMITH TO BE PUBLIC ADMINISTRATOR

Will Quit Congress for \$10,000 Life Sinecure.

Thomas F. Smith, secretary of Tammany Hall and the right hand of Charles F. Murphy in the running of the Democratic machine, is to be appointed Public Administrator of New York county to succeed William H. Hoes. The place pays \$10,000 a year, and the appointment, which is made by the two Surrogates, is for life.

Mr. Smith will resign his place as Representative in Congress from the Sixteenth District within a few days. He did not accept a renomination, and W. Bourke Cockran, who was nominated in his place, was defeated.

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JULY FORMEL OF NEW YORK UNDER ACCUSATION IN SARATOGA

SARATOGA SPRINGS, Jan. 4.—For the second time in two weeks a jury disagreed to-day in the trial of Jules Formel of New York, charged with being a common gambler.

Formel was indicted by the Extraordinary Grand Jury on a charge of maintaining a gambling establishment in this city during July, 1919. Disposal of his case will be determined Saturday, when eighteen gamblers who have pleaded guilty will be sentenced.

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